

'Security' Is Cited in Call Taping

By Jules Witcover
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Tapes are continuing to roll and record certain incoming calls at the White House without informing the caller, the Secret Service and the Federal Communications Commission acknowledged yesterday.

The FCC has given the Secret Service permission to record without the customary warning "beep" tone all calls deemed to concern "the safety and security" of the President and his immediate family.

Under the procedure, according to the FCC, White House switchboard operators who receive calls they consider suspicious are authorized to switch them to a Secret Service line that records the conversation, unbeknownst to the caller.

An official in the FCC's Complaints and Service Standards Branch said the operators are given guidelines by the Secret Service for determining which calls are to be so routed.

A spokesman for the Secret Service would say only that the practice "involves threat-

ening phone calls in connection with our protective mission."

The FCC permission is the outgrowth of a 19-month-old complaint by a San Francisco airlines engineer who said he called in October, 1972, to give an antiwar message to President Nixon from a California peace group in response to a presidential TV speech.

The man, Robert E. McCann, said his call was switched to a man who later informed him he recorded all incoming calls. The White House later denied it was "the practice of the White House to record all incoming calls," but McCann filed a complaint with the FCC against the American Telephone & Telegraph Co. and the Chesapeake and Potomac Telephone Co., charging that his rights had been violated.

The FCC official, Jeff Hertz, yesterday said the undisclosed taping of a phone conversation is not a violation of wiretap laws as long as one party consents, but that the FCC tariff regulations governing the service to the White House did require use of the beeper as a protection to the caller.

This requirement now has been waived, McCann was advised by the FCC, "to assist the Secret Service in carrying out its mandate" from Congress to protect the First Family.

McCann has challenged this latest ruling, charging the FCC with "legalizing a violative act when committed by the Secret Service."